

### **C) REMARKS**

This Response is filed in response to the Office Action dated November 26, 2007.

Upon entry of this Response, claims 1-4, 6-11, 14-20, 30 and 31 will be pending in the Application.

In the outstanding Office Action, the Examiner rejected claim 17 under 35 U.S.C. 112, second paragraph, rejected claims 1-4 and 6-12 under 35 U.S.C. 103(a) as being unpatentable over Nakagawa (6,475,410); objected to claim 13 and indicated claim 13 would be allowable if rewritten in independent form with claims 14-16 and 18-20 dependent from claim 13, and allowed claims 30 and 31.

Claim 17 has been discussed to more clearly explain the support and definiteness of the claim in light of the disclosure. Claims 12 and 13 have been incorporated into claim 1. Claims 12 and 13 have been canceled. Since support for the amendments incorporate existing claimed limitations, and is also contained throughout the disclosure, Applicant asserts no new matter is added.

#### **Rejections under 35 U.S.C. § 112, second paragraph**

The Examiner rejected claim 17 under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The Examiner stated:

This claim is indefinite with regard to its description of the plurality of rollers. In particular, the aspect that the rollers extend "through" the lower platen. Clarification is required.

Applicant respectfully traverses the rejection of claim 17 under 35 U.S.C. 112, second paragraph.

The phrase "a plurality of rollers extending through the lower platen" as used in this application, and discussed and described in paragraph [0043] and shown in Figs. 2 and 6, particularly points out and distinctly claims the subject matter. In particular, Applicant discloses at paragraph [0043] that "Beneath the lower platen 58 is a base plate 34 (FIG. 6) having a plurality of rollers 36 each preferably comprising a standoff 38 having a threaded end 40 that is

received by a threaded aperture 42 formed in bade plate 34. Roller 36 includes a roller transfer ball 44 rotatably secured in a recess 46 or socket opposite threaded end 40. As shown in FIG. 2, roller transfer balls 44 extend through the lower platen 58 (emphasis added) for contacting the lower surface 32 of roof assembly 10, permitting the roof assembly 10 to be more easily moved into position in press 50."

Therefore, in view of the above, Applicant submits that claim 17 is not indefinite and complies with the provisions of 35 U.S.C. 112, second paragraph.

### **Rejection under 35 U.S.C. 103**

The Examiner rejected claims 1-4 and 6-12 under 35 U.S.C. § 103(a) as being unpatentable over Nakagawa (6,475,410).

Applicant has amended claim 1 to include the indicated allowable subject matter of claim 13, and the limitations of claim 12 from which claim 13 depends into claim 1, rendering the rejection moot. Claims 12 and 13 have been cancelled.

Therefore, in view of the above, claims 1-4 and 6-11 are believed to be distinguishable from Nakagawa and therefore are not anticipated nor rendered obvious by Nakagawa and are therefore allowable.

### **Allowable Subject Matter**

The Examiner has indicated that claim 13 would be allowable if rewritten and including all of the limitations of the base claim and any intervening claims. Applicant appreciates the Examiner's indication of allowable subject matter, and has incorporated the limitations of claims 12 and 13 into claim 1. Claims 14-16 and 18-20, previously dependent from claim 13, and now dependent from amended claim 1, are therefore accordingly allowable.

Additionally, the Examiner has indicated that claims 30 and 31 are allowable, for which Applicant thanks the Examiner.

**CONCLUSION**

In view of the above, Applicant respectfully requests reconsideration of the Application and withdrawal of the outstanding objections and rejections. As a result of the amendments and remarks presented herein, Applicant respectfully submits that claims 1-4, 6-11, 14-20, 30 and 31 are in condition for allowance. As the claims are not anticipated by nor rendered obvious in view of the applied art, Applicant requests allowance of claims 1-4, 6-11, 14-20, 30 and 31 in a timely manner. If the Examiner believes that prosecution of this Application could be expedited by a telephone conference, the Examiner is encouraged to contact the Applicant.

The Commissioner is hereby authorized to charge any additional fees and credit any overpayments to Deposit Account No. 50-1059.

Respectfully submitted,  
**McNEES, WALLACE & NURICK**

By     /Daniel J. Jenkins/  
       **Daniel J. Jenkins**  
       Reg. No. 42,946  
       100 Pine Street, P.O. Box 1166  
       Harrisburg, PA 17108-1166  
       Tel: (717) 237-5492  
       Fax: (717) 237-5300

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